# No. 65

# **MICHIGAN SENATE**

# **DAILY CALENDAR**

WEDNESDAY, SEPTEMBER 23, 1998 10:00 a.m.

### MESSAGES FROM THE HOUSE

— 1 —

SB 752 Sen. Young

Courts; municipal court; appeals from municipal courts; revise.

Amends sec. 23 of 1956 PA 5 (MCL 730.523) & adds sec. 23a.

I.E. House, March 26, 1998.

Returned from House with amendments, Tuesday, April 14; laid over under the rules.

For House amendments, see Senate Journal No. 29, page 537.

Committee recommended I.E.

2

SB 386 Sen. DeBeaussaert

Civil rights; handicapper discrimination; references to handicappers; change to persons with disabilities in state school aid act of 1979.

Amends secs. 51a & 105 of 1979 PA 94 (MCL 388.1651a & 388.1705).

I.E. House, February 25, 1998.

I.E. Senate, April 14, 1998.

Enrollment vacated, Wednesday, April 29; motion to reconsider vote pending.

SB 866 Sen. Van Regenmorter

Civil procedure; personal protection orders; personal protection orders in domestic violence and stalking cases; allow family division of circuit court to issue.

Amends sec. 2950a of 1961 PA 236 (MCL 600.2950a).

Senate substitute (S-1).

Returned from House with amendments, Thursday, May 14; laid over under the rules.

For House amendments, see Senate Journal No. 43, page 862.

Committee recommended I.E.

**SB 874** Sen. A. Smith

Civil procedure; personal protection orders; personal protection orders in domestic violence and stalking cases; allow family division of probate court to issue.

Amends sec. 2950 of 1961 PA 236 (MCL 600.2950).

Senate substitute (S-1).

For Senate amendments, see Senate Journal No. 23, page 390.

Returned from House with amendments, Thursday, May 14; laid over under the rules.

For House amendments, see Senate Journal No. 43, page 862.

Committee recommended I.E.

### MESSAGES FROM THE HOUSE

HB 4259 Rep. Alley

Natural resources; gas and oil; disclosure of postproduction costs for oil and gas leases for private landowner; require.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503a.

**I.E. House, December 10, 1997.** 

I.E. Senate, April 28, 1998.

Senate substitute (S-2).

Returned from House with amendment to Senate substitute (S-2), Wednesday, May 20; laid over under the rules.

For House amendment, see Senate Journal No. 45, page 914.

**5261** Rep. DeVuyst Natural resources; gas and oil; charges for postproduction costs; regulate.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503b.

I.E. House, December 10, 1997.

I.E. Senate, April 28, 1998.

Senate substitute (S-2).

Returned from House with amendments to Senate substitute (S-2), Wednesday, May 20; laid over under the rules.

For House amendments, see Senate Journal No. 45, page 915.

HB 5317 Rep. Lowe

Natural resources; mining; forced pooling of mineral rights; require person requesting pool to control at least 51% of mineral rights.

Amends sec. 61513 of 1994 PA 451 (MCL 324.61513).

I.E. House, December 10, 1997.

I.E. Senate, April 28, 1998.

Senate substitute (S-1).

Returned from House with amendment to Senate substitute (S-1), Wednesday, May 20; laid over under the rules.

For House amendment, see Senate Journal No. 45, page 915.

**HB** 4044 Rep. Profit

Torts; liability; "firefighter's rule"; abolish.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2963.

I.E. House, February 26, 1997.

I.E. Senate, June 10, 1998.

Returned from House with amendments to Senate substitute (S-5), Thursday, June 25; laid over under the rules.

For House amendment, see Senate Journal No. 56, page 1370.

### THIRD READING OF BILLS

9

#### SB 256 Sen. Bullard

Civil procedure; costs and fees; allowable costs; increase. Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_ 10 \_\_\_\_\_

# SJR A Sen. Bouchard

Taxation; generally; certain tax increase; require a 2/3 vote of the legislature.

Amends sec. 26, art. IV of the state constitution.

Reported by Committee on Finance.

Senate substitute (S-3).

For Senate amendment, see Senate Journal No. 38, page 745.

Defeated, Thursday, May 7; motion to reconsider vote pending.

— 11 <del>—</del>

### **HB** 4875 Rep. Quarles

Legislature; other; access to bill status records; require to be on-line on the internet.

Amends 1986 PA 268 (MCL 4.1101 to 4.1901) by adding sec. 204e.

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2210.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 12 \_\_\_\_\_

### **HB** 4884 Rep. Kaza

Legislature; other; access to bills, substitutes, and amendments; require to be on-line on the internet.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204b

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2212.

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

\_\_\_ 13 \_\_\_\_\_

### **HB** 4886 Rep. Birkholz

Legislature; legislative agencies; access to legislative calendar and other legislative information on-line on the internet; require.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204a.

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2214.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

### THIRD READING OF BILLS

# **HB** 5006 Rep. Brewer

Communications; computers; Michigan Compiled Laws data base access on the internet; provide for.

Amends sec. 204 of 1986 PA 268 (MCL 4.1204).

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2217.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended L.E.

\_\_\_\_ 15 \_\_\_\_\_

# SB 1196 Sen. Geake

Local government; financing; disbursements under the emergency municipal loan act; revise certain procedures.

Amends secs. 2, 3, 4, 6, 7 & 8 of 1980 PA 243 (MCL 141.932 et seq.).

Committee on Families, Mental Health and Human Services discharged, Wednesday, June 10.

Senate substitute (S-1).

<del>-----</del> 16 <del>-------</del>

### SB 1197 Sen. Schwarz

Juveniles; delinquency; health and safety fund; revise distribution in connection with creating county juvenile agencies.

Amends secs. 3 & 5 of 1987 PA 264 (MCL 141.473 & 141.475).

Committee on Families, Mental Health and Human Services discharged, Wednesday, June 10.

\_\_\_\_\_ 17 \_\_\_\_\_

### **HB** 5069 Rep. Martinez

Property; conveyances; certain state owned property in Ingham county; provide for conveyance.

I.E. House, June 2, 1998.

House substitute (H-2).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 18 \_\_\_\_\_

### **HB** 5887 Rep. Rhead

Property; conveyances; location of water treatment plant on certain property; allow.

Amends 1982 PA 528 by adding sec. 2a.

I.E. House, July 1, 1998.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

# SEPTEMBER 23, 1998 **GENERAL ORDERS** — 19 ——— **SJR E** Sen. Hoffman Transportation; other; state transportation commission; Repeals sec. 28, art. V of the state constitution. Reported by Committee on Appropriations. For Senate amendment, see Senate Journal No. 50 of 1997, page 833. \_\_\_\_ 20 \_\_\_\_\_ SB 10 Sen. Schuette Single business tax; credit; research and development; provide for. Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37e. Reported by Committee on Economic Development, International Trade and Regulatory Affairs. Senate substitute (S-2). Committee recommended I.E. — 21 —— **HB 4039** Rep. Profit Vehicles; emergency vehicles; emergency vehicle operation; create commission and require to develop a model policy. Creates & repeals new act. I.E. House, February 26, 1997. House substitute (H-5)\*. Reported by Committee on Judiciary. Senate substitute (S-1). Committee recommended I.E. \_\_\_\_ 22 \_\_\_\_ SB 822 Sen. Peters Property tax; tax sales; recall of purchaser's certificated sale; allow. Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 131f. Reported by Committee on Finance. Senate substitute (S-1). Committee recommended I.E. \_\_\_\_\_ 23 \_\_\_\_\_ **740** Sen. Shugars Insurance; health care corporations; determination of copayment or coinsurance; require to be based on amount paid by the plan. Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 405a. Reported by Committee on Health Policy and Senior Citizens. Senate substitute (S-2). Committee recommended I.E.

# \_\_\_\_\_ 24 \_\_\_\_\_

# HB 4403 Rep. Wallace

Traffic control; civil infraction procedures; violation for no proof of insurance; provide waiver of fine under certain circumstances.

Amends sec. 328 of 1949 PA 300 (MCL 257.328).

I.E. House, April 17, 1997.

House substitute (H-1).

Reported by Committee on Financial Services.

Senate substitute (S-2).

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 25 \_\_\_\_\_

SB 979 Sen. Steil

Land use; other; closure of land to hunting or vehicle use; prohibit unless legislature has approved.

Amends sec. 504 of 1994 PA 451 (MCL 324.504).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

\_\_\_\_ 26 \_\_\_\_\_

HB 5129 Rep. Wojno

State; symbol; flag month; designate.

I.E. House, December 9, 1997.

For House amendments see House Journal No. 93, page 2466.

Reported by Committee on Government Operations. Committee recommended I.E.

27

SB 977 Sen. Gougeon

Natural resources; hunting; multiple doe permits; establish.

Amends sec. 43526 of 1994 PA 451 (MCL 324.43526).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-5).

\_\_\_\_ 28 \_\_\_\_\_

HB 5212 Rep. Profit

Sales tax; exemptions; materials used in industrial laundry operations; provide for.

Amends secs. 1, 4a & 9 of 1933 PA 167 (MCL 205.51 et seg.)

I.E. House, May 6, 1998.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

— 29 ——

**HB** 5213 Rep. Profit

Sales tax; exemptions; materials used in commercial laundry operations; provide for.

Amends secs. 2, 4 & 10 of 1937 PA 94 (MCL 205.92 et seq.).

I.E. House, May 6, 1998.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

- 30 -----

**HB** 4448 Rep. Dobronski

Elections; absent voters; absent voter ballot availability; provide for with no reason required.

Amends secs. 758, 759 & 759b of 1954 PA 116 (MCL 168.758 et seq.).

I.E. House, April 30, 1997.

House substitute (H-2).

Reported by Committee on Government Operations.

Senate substitute (S-3).

### **GENERAL ORDERS**

\_\_\_\_ 31 \_\_\_\_\_

### **HB 5851** Rep. Byl

Highways; name; certain portion of M-6; rename the "Paul B. Henry freeway".

I.E. House, June 2, 1998.

Committee on Transportation and Tourism discharged, Wednesday, June 10.

Rules suspended, placed on General Orders, Wednesday, June 10.

\_\_\_\_ 32 \_\_\_\_\_

# **HB 4611** Rep. Nye

Environmental protection; landfills; proposed landfills located within 20,000 feet of an airport runway; require review by the Michigan aeronautics commission.

Amends sec. 11510 of 1994 PA 451 (MCL 324.11510).

I.E. House, April 2, 1998.

For House amendments, see House Journal No. 33, page 638.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

33

### HB 5717 Rep. McNutt

Vehicles; snowmobiles; penalties for careless and reckless driving of snowmobiles and operations involving crippling and death; establish.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs, 82126a, 82126b & 82126c.

I.E. House, June 24, 1998.

For House amendments, see House Journal No. 62, page 1578.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

\_\_\_\_ 34 \_\_\_\_

# SB 1264 Sen. Van Regenmorter

Criminal procedure; bail; release on bail of certain individuals charged with certain offenses; amend procedures for

Amends secs. 26 & 28, ch. V of 1927 PA 175 (MCL 765.26 & 765.28).

Reported by Committee on Judiciary.

Committee recommended I.E.

— 35 ——

### HB 5268 Rep. Richner

Courts; municipal court; appeals from municipal courts; revise.

Amends sec. 23 of 1956 PA 5 (MCL 730.523) & adds sec. 23a.

I.E. House, March 26, 1998.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

### **GENERAL ORDERS**

**—** 36 **—** 

### **HB 5271** Rep. Callahan

Courts; municipal court; appeals from municipal court in criminal cases; revise.

Amends secs. 2 & 3, ch. X & secs. 34, 43 & 44, ch. XIV of 1927 PA 175 (MCL 770.2 et seq.).

I.E. House, March 26, 1998.

For House amendment, see House Journal No. 30, page 534.

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_\_ 37 \_\_\_\_\_

### SB 1167 Sen. Schwarz

Occupations; business licensing and regulation; regulation of certain miniature trains; exempt under certain circumstances.

Amends sec. 2 of 1966 PA 225 (MCL 408.652).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

\_\_\_\_\_ 38 \_\_\_\_\_

# HB 5867 Rep. Raczkowski

Natural resources; gas and oil; procedures regarding standards, safety requirements, and certain information related to the extraction of oil and gas; provide for.

Amends 1994 PA 451 (MCL 324.101 to 324.90106) by adding sec. 61506a.

I.E. House, July 1, 1998.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

\_\_\_\_ 39 \_\_\_\_\_

# **HB** 5796 Rep. Profit

Local government; intergovernmental affairs; metropolitan council act; provide for general amendments.

Amends title & secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33 & 35 of 1989 PA 292 (MCL 124.651 et seq.) & adds secs. 65, 67, 69, 71, 73, 75, 77 & 79.

I.E. House, June 4, 1998.

House substitute (H-3).

Reported by Committee on Financial Services.

Committee recommended I.E.

**—** 40 **—** 

### **HB** 5800 Rep. Schauer

Commercial code; other; conversion to the euro monetary unit; allow.

I.E. House, June 24, 1998.

House substitute (H-2).

Reported by Committee on Financial Services.

### **GENERAL ORDERS**

### **HB 5783** Rep. Byl

Financial institutions; other; mortgage brokers, lenders, and servicers licensing act; provide certain exemptions.

Amends sec. 25 of 1987 PA 173 (MCL 445.1675).

I.E. House, June 25, 1998.

House substitute (H-4).

Reported by Committee on Financial Services.

Committee recommended I.E.

42 —

# **HB 5784** Rep. Byl

Financial institutions; other; secondary mortgage loan act; provide certain exemptions.

Amends sec. 2 of 1981 PA 125 (MCL 493.52).

I.E. House, June 25, 1998.

House substitute (H-1).

Reported by Committee on Financial Services.

Committee recommended I.E.

43 —

# HB 5835 Rep. Richner

Trade; other; continuity of contracts and substitution of currency; allow.

I.E. House, June 24, 1998.

House substitute (H-1).

Reported by Committee on Financial Services.

Committee recommended I.E.

# **HB** 5365 Rep. Hanley

Economic and industrial development; enterprise zones; certain revisions to businesses relocating in a renaissance zone; provide for.

Amends sec. 10 of 1996 PA 376 (MCL 125.2690).

I.E. House, February 11, 1998.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-3).

Committee recommended I.E.

# HB 5692 Rep. Thomas

Insurance; property and casualty; cancellation of mortgage guaranty insurance; exempt from certain cancellation provisions and provide notice.

Amends sec. 3020 of 1956 PA 218 (MCL 500.3020).

I.E. House, May 21, 1998.

House substitute (H-1).

Reported by Committee on Financial Services.

Senate substitute (S-1).

# SB 1168 Sen. Schwarz

Occupations; business licensing and regulation; certain miniature trains; exempt from boiler inspection.

Amends 1965 PA 290 (MCL 408.751 - 408.776) by adding sec. 7c.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

### **GENERAL ORDERS**

— 47 ———

### SB 820 Sen. Cherry

Occupations; individual licensing and regulation; licensure of bail recovery agents; provide for.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

# **HB** 5754 Rep. Nye

Vehicles; registration; transportation of "livestock bedding and feed"; allow.

Amends sec. 802 of 1949 PA 300 (MCL 257.802).

I.E. House, June 3, 1998.

House substitute (H-1).

Reported by Committee on Farming, Agribusiness and Food Systems.

Committee recommended I.E.

# HB 5843 Rep. McNutt

Animals; dogs; dog licenses; provide option for license to expire in month of dog's rabies vaccination and option for 3-year license.

Amends secs. 6, 8, 9, 14, 15 & 17 of 1919 PA 339 (MCL 287.266 et seq.).

I.E. House, June 2, 1998.

For House amendment, see House Journal No. 49, page 1135.

Reported by Committee on Farming, Agribusiness and Food Systems.

Committee recommended I.E.

\_\_\_\_ 50 \_\_\_\_

### SB 1283 Sen. McManus

Natural resources; hunting; possession of endangered raptors and buying and selling of captive-bred endangered raptors; allow for falconry.

Amends sec. 36505 of 1994 PA 451 (MCL 324.36505) & adds sec. 40107a.

Reported by Committee on Hunting, Fishing and Forestry.

<del>------ 51 -------</del>

# **HB 4793** Rep. Law

Animals; other; possession of wolf hybrids; regulate.

House substitute (H-1\*).

For House amendments, see House Journal No. 58, page 1336.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

\_\_\_\_ 52 \_\_\_\_

# SB 994 Sen. Geake

Appropriations; supplemental; judicial branch funding for friend of the court citizen advisory committees; provide for

Reported by Committee on Appropriations.

Senate substitute (S-2).

### RESOLUTIONS

- 53 **--**

#### **SR** 71 Sen. McManus

A resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

Reported by Committee on Gaming and Casino Oversight.

For text of resolution, see Senate Journal No. 51 of 1997, page 860.

Adoption pending.

- 54 -----

### SR 178 Sen. Gougeon

A resolution to memorialize the Congress of the United States to provide that federal income taxes can only be raised through a supermajority vote in each house of the Congress.

Reported by Committee on Finance.

For text of resolution, see Senate Journal No. 35, page 682.

Adoption pending.

#### **COMMITTEE REPORTS**

**—** 55 **—** 

### **HB** 4364 Rep. Walberg

Criminal procedure; probation; probation conditions to protect 1 or more persons and to require reimbursement to counties; permit and require entry of certain probation orders in LEIN.

Amends sec. 3, ch. XI of 1927 PA 175 (MCL 771.3).

I.E. House, June 24, 1998.

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

- 56 —

### **HB** 4365 Rep. Walberg

Criminal procedure; probation; reimbursement of jail costs to counties; permit as probation condition.

Amends secs. 3 & 5 of 1984 PA 118 (MCL 801.83 & 801.85).

I.E. House, June 24, 1998.

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SCHEDULED MEETINGS

**Administrative Rules, Joint -** Wednesday, September 23, 8:30 a.m., Room 402, Capitol Building (373-6476)

**Appropriations -** Wednesday, September 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

### **Conference Committee -**

**SB 181 -** Wednesday, September 23, 9:30 a.m., Room 404, Capitol Building (373-6920)

**Economic Development, International Trade and Regulatory Affairs -** Wednesday, September 23, 1:00 p.m., Room 210, Farnum Building (373-7946)

**Government Operations -** Wednesday, September 23, 1:00 p.m., Room 402, Capitol Building (373-1758)

**Local, Urban and State Affairs -** Wednesday, September 23, 1:00 p.m., Room 100, Farnum Building (373-1635)

**Technology and Energy -** Wednesday, September 23, 3:00 p.m., Room 402, Capitol Building (373-2417)

**Transportation and Tourism -** Wednesday, September 23, 3:00 p.m., Room 405, Capitol Building (373-2413)

		BILLS IN CONFERENCE Conferees		Report A	greed to
Bill No.	Brief Title	Senate	House	Senate	House
SB 181	Mental health; patients	Van Regenmorter	Baird		•
	. 1	Rogers	Gubow		
		Peters	Scranton		
SB 313	Education; discipline	Stille	Gire		•
	, 1	Emmons	Schauer		
		Peters	Dalman		
		(Second)			
SB 514	Insurance; health	Shugars	Gubow		
		Schwarz	Basham		
		Byrum	Llewellyn		
HB 4738	Trade; vehicles	Schuette	Alley		
	rrade, venicies	Cisky	Griffin		
		Peters	Rhead		
		Teters	Kiicau		
HB 4740	Trade; vehicles	Schuette	Alley		
	,	Cisky	Griffin		
		Peters	Rhead		
HB 5424	Education; discipline	Stille	Gire		
	,	Emmons	Schauer		
		Peters	Dalman		
HB 5857	Retirement; judges	Steil	Ciaramitaro		
		Van Regenmorter	DeHart		
		Conroy	Rhead		